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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,536	04/22/2004	Leo Gilles	1-25206	7311

46582 7590 03/24/2006

MACMILLAN, SOBANSKI & TODD, LLC  
ONE MARITIME PLAZA - FOURTH FLOOR  
720 WATER STREET  
TOLEDO, OH 43604

EXAMINER

SICONOLFI, ROBERT

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 03/24/2006

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**GROUP 3600**

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/829,536  
Filing Date: April 22, 2004  
Appellant(s): GILLES, LEO

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Douglas V. Pavelko  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 1/17/06 appealing from the Office action  
mailed 7/14/05.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

**GROUND OF REJECTION NOT ON REVIEW**

The following grounds of rejection have not been withdrawn by the examiner, but they are not under review on appeal because they have not been presented for review in the appellant's brief. Claims 4-6 rejected under 35 USC 103.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

WO9937939

Rinsma

7-1999

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-3 and 7-28 are rejected under 35 USC 102 over WO99/37939.

**(10) Response to Argument**

Appellant argues on pages 7 and 8 that the high axial stiffness of the pad does not limit the axial force transmitted. Assuming this is the case, the examiner notes while the total axial force would not be limited, the component of the force applied to the transducer would be limited. This is the stiffness would be so high that the pad would act in effect as a solid. As a result, at least some of the axial force would be applied in a transmission path through the outer sections of the pad between disc 55 and nut 39 into nut 39(as seen in figure 3) which would bypass the transducer.

The examiner contends, however, that the pad, which is admittedly resilient, would not have such a high stiffness as the Appellant contends. As a result, the pad would compress until the nut reaches the end of travel and abuts against the end of the grooves 39' (which can be clearly seen in figure 2a and is present in all the embodiments with the pad of the prior art including figure 3). When the nut 39 abuts the end of the groove 39', no additional compress of the pad can occur and therefore, the force applied to the transducer is limited. All additional force would bypass the transducer.

Regarding claim 26, Appellant argues that there is no structure to limit the force. The examiner disagrees and points to end of groove 39' as discussed above. The Appellant also argues that limiting the force would falsify the readings under high force conditions. This would also apply to the instant invention and as such, the examiner does not see how it distinguishes between the prior art and the instant invention. Furthermore, assuming that the pad is axially stiff as argued by Appellant would lead to

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a force bypassing region of the pad as discussed above (between the nut 39 and the outer portions of the pad).

With regard to claims 27 and 28, Appellants argue a second force transmission path is not taught by WO 99/37939. The examiner disagrees and notes the term "second force transmission path" is very broad and encompasses any direction in which force may travel. There are multiple transmission paths. One path is through arm 2. Another is as discussed above through nut 39 from the outer sections of the pad. Further as argued above, the examiner believes that the end of grooves 39' provide an additional transmission path

With regards to claims 8-13, appellant argues a second force transmission path is not taught by WO 99/37939. As discussed above claims 27 and 28, the examiner disagrees.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

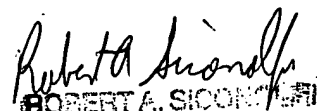
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

RS

Conferees:

JM   
TW 

 3/20/06  
ROBERT A. SICONOLFI  
PATENT EXAMINER